



IT IS ORDERED as set forth below:

Date: March 04, 2011

A handwritten signature in black ink that reads "James R. Saccia".

James R. Saccia
U.S. Bankruptcy Court Judge

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

| | | |
|----------------------|---|--------------|
| In re: | : | CASE NUMBER |
| | : | |
| KEITH EUGENE THOMAS, | : | 10-95887-JRS |
| | : | |
| Debtor. | : | CHAPTER 13 |
| | : | |

ORDER

This matter is before the Court on Debtor's "Motion to Set Aside Dismissal of Previous Bankruptcy Action, Remedy Default and to Consolidate this Instant Action under the Previous Action Number" [Docket No. 27] (the "Motion"). Debtor had a prior Chapter 13 case, No. 10-79346, which was dismissed on November 19, 2010 for failure to fund his case. It is the dismissal of that case which he requests this Court to set aside. Debtor's Motion should have been filed in his prior case. Furthermore, the Motion, if granted, would result in Debtor having two open Chapter 13 cases at the same time, which is not permitted. Accordingly, it is hereby

ORDERED that the Motion is DENIED.

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